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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

TAMALPAIS UNION HIGH SCHOOL
DISTRICT, a local educational agency,

Plaintiff and Counter-
Defendant,

vs.

D.W., a minor,

Defendant and Counter-
Complainant.

Case No.: 3:16-CV-04350-HSG

**STIPULATION AND ORDER TO
CONTINUE HEARING DATE AND SET
BRIEFING SCHEDULE**

Pursuant to Local Rule 7-11, the Parties hereby stipulate and request as follows:

WHEREAS, at the Parties' initial Case Management Conference, the Court set a hearing date for the Parties' cross-motions for summary judgment for December 22, 2016, at 2:00 p.m.;

WHEREAS, the Parties subsequently stipulated to a briefing schedule by which summary

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1 judgment motions would be filed by November 21, 2016, and oppositions would be filed by
 2 December 8, 2016;

3 WHEREAS on October 3, 2016, the Court signed an Order approving the Parties'
 4 stipulation to engage in mediation;

5 WHEREAS the Court's ADR office assigned Hon. James Lambden (Ret.) as mediator in
 6 this action on November 16, 2016;

7 WHEREAS the Parties held a phone conference with Judge Lambden on November 18,
 8 2016 and chose December 16, 2016, as a mediation date; and

9 WHEREAS the Parties' agree that mediation would be most successful without immediate
 10 pending briefing or an immediate pending hearing on the Parties' cross-motions for summary
 11 judgment :

12 THE PARTIES HEREBY STIPULATE AND REQUEST that the hearing date for the
 13 Parties' cross-motions for summary judgment be continued to February 23, 2017, at 2:00 p.m.,
 14 that the deadline for filing opening cross-motions be set for January 23, 2017, and that the
 15 deadline for filing oppositions be set for February 9, 2017. As previously agreed, neither party
 16 shall be allowed the opportunity to file a reply.

17 DATED: November 18, 2016 FAGEN FRIEDMAN & FULFROST, LLP

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19 By: /s/ David R. Mishook
 20 David R. Mishook
 21 Attorneys for Defendant Tamalpais Union High
 22 School District

23 DATED: November 18, 2016 LAW OFFICES OF SUSAN FOLEY

24

25 By: /s/ Susan Foley
 26 Susan Foley
 27 Attorneys for Plaintiffs

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1 IT IS SO ORDERED:

2 DATED: November 18, 2016

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Hon. Haywood S. Gilliam, Jr.

United States District Judge

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